

R E M A R K S

The recitations of former claims 10 and 11 are incorporated into independent claims 1 and 2. No new matter is added by this Amendment. Claims 1-8 are in the application.

In considering the discussions of the prior art rejections that follow, the Examiner is respectfully requested to bear in mind that chemical compounds and compositions made up thereof may be regarded from two different perspectives. One perspective is chemical and deals with the relative amounts of atoms making up the compositions. The other perspective is physical, and practical, and involves such considerations as particle size, speed of dissolution, and so on. It is this latter perspective that is most relevant to the present situation.

Claims in this application had been rejected under 35 U.S.C. §103(a) as being unpatentable over WO94/02573 (Van Dijk). The rejection should not be applied to the present claims.

The present claims are not directed to every and all detergent compositions having the specified components. Instead, the present invention is limited to such detergent compositions having a very particular particle size distribution. This characteristic of the presently claimed compositions, which is explicitly recited in independent claims 1 and 2, provides a composition that has good detergency and low temperature dispersibility, even when the composition stands in cold water for a long period of time. This beneficial property is neither taught nor suggested by Van Dijk.

Moreover, as pointed out in lines 20-23 on page 9 of the specification, the feature formerly recited in claim 11 but now recited in claims 1 and 2 further distinguishes the presently claimed compositions as maintaining excellent low

temperature dispersibility without forming hydrated crystals between the detergent granules.

Claims in this application had been rejected under 35 U.S.C. §102(b) as being anticipated by US 5,698,510 (Wilkinson) or under 35 U.S.C. §103(a) as being unpatentable over Wilkinson. The rejection should not be applied to the present claims.

The present claims are not directed to every and all detergent compositions having the specified components. Instead, the present invention is limited to such detergent compositions having a very particular particle size distribution. This characteristic of the presently claimed compositions, which is explicitly recited in independent claims 1 and 2, provides a composition that has good detergency and low temperature dispersiblity, even when the composition stands in cold water for a long period of time. This beneficial property is neither taught nor suggested by Wilkinson.

Without admitting compositional identity, Applicant is not attempting to distinguish over Wilkinson based solely on the chemical nature of the detergent. Instead, Applicant relies on the discovery that a particular particle distribution – obtained by the complex classification procedure reflected in the claims – provides detergent compositions that have unexpected and beneficial properties that are not found in conventional detergents such as those of Wilkinson.

Applicant is not attempting to distinguish over Wilkinson based solely on optimizing the relative amounts of surfactants in the detergent. Applicant has discovered that a particular particle distribution – obtained by the complex classification procedure reflected in the claims – provides detergent compositions having unexpected beneficial properties not found in the Wilkinson compositions.

Each of claims 1-8 herein recites an invention that is not suggested or otherwise motivated by the Wilkinson disclosure.

Claims in this application had been rejected under 35 U.S.C. §102(e) as being anticipated by US 5,998,357 (Appel) or under 35 U.S.C. §103(a) as being unpatentable over Appel. The rejection should not be applied to the present claims.

The present claims are not directed to every and all detergent compositions having the specified components. Instead, the present invention is limited to such detergent compositions having a very particular particle size distribution. This characteristic of the presently claimed compositions, which is explicitly recited in independent claims 1 and 2, provides a composition that has good detergency and low temperature dispersibility, even when the composition stands in cold water for a long period of time. This beneficial property is neither taught nor suggested by Appel.

Without admitting compositional identity, Applicant is not attempting to distinguish over Appel based solely on the chemical nature of the detergent. Instead, Applicant relies on the discovery that a particular particle distribution – obtained by the complex classification procedure reflected in the claims – provides detergent compositions that have unexpected and beneficial properties that are not found in the Appel detergents.

Each of claims 1-8 herein recites an invention that is neither suggested nor otherwise motivated by the Appel disclosure.

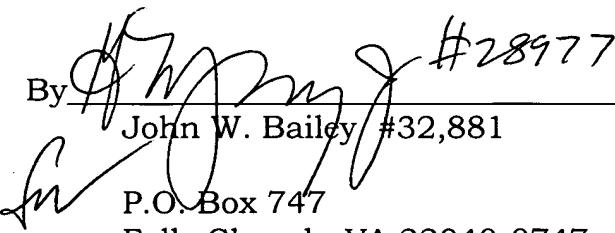
If there are any outstanding issues in the present application, the Examiner is respectfully requested to contact Richard Gallagher (Reg. No. 28,781) at (703) 205-8008.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit

Account No. 02-2448 for any additional fees required under 37 CFR 1.16 or 1.17;  
particularly, extension of time fees.

Respectfully submitted,  
BIRCH, STEWART, KOLASCH & BIRCH, LLP

JWB/RG

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